

SECTIONAL ANALYSIS

Section 1 removes dependency requirements from the definition of the term "widower". This means that, with respect to survivor benefits, widowers of female participants or retirees will be accorded the same treatment as widows of deceased male participants or retirees. Retained in the definition is the requirement that a widower be married at least two years immediately preceding the death of the retiree or participant, or be a parent of a child born of the marriage -- the same conditions that apply to a "widow".

Section 2 does four things:

--First, it amends the current provision for annuity for surviving spouse to whom the retiree is married at the time of retirement by authorizing payment of that annuity to a subsequent spouse. The spouse acquired after retirement must qualify as a widow or widower as those terms are defined in Section 204 of the Act as amended by section 1 of the bill.

--Second, it authorizes a survivor annuity for a widow or widower of a retiree who was unmarried at the time of retirement, subject to the election of a reduced annuity for this purpose by the retiree pursuant to section 3 of the bill.

--Third, it requires the surviving spouse, widow or widower, to elect between the benefits afforded under section 2 of the bill and any other entitlements to survivor benefits from a retirement system for Government employees.

--Finally, it provides for the commencement and termination date for the survivor annuities provided under section 2 of the bill.

Section 3 provides a retiree who is unmarried at the time of retirement with an irrevocable election to select a reduced annuity and provide, under section 2 of the bill, survivorship protection for a spouse acquired after retirement. The election must be received within one year after the marriage, and voids any election made at the time of retirement for a survivor annuity for an individual with an insurable

interest as authorized under current law (Section 221 of the Act). The retiree's annuity is paid at the reduced rate starting with the first day of the month following receipt of the election.

Section 4 changes the "Death in Service" provisions of the Act (Section 232) to remove the dependency requirements currently attached to the payment of a survivor annuity to a widower of a female participant who dies in service. The changes are compatible with the changes made in the definition of the term "widower" under section 1 of the bill.

Section 5 updates the citation in section 251 of the Act. Section 5 also provides retirement service credit for periods of separation from Federal government employment covered by employees' compensation for work injuries under 5 U.S.C. 81.

Section 6 provides effective dates in phase with those established for the Civil Service retirement system in connection with identical changes. These dates assure that the treatment afforded surviving spouses under the CIA Retirement Act will not be different than that afforded surviving spouses under the Civil Service retirement system.